

City Hall
80 Broad Street
February 26, 2013
5:00 p.m.

CITY COUNCIL

A. Roll Call

B. Invocation – Councilmember Seekings

C. Pledge of Allegiance

D. Presentations and Recognitions

1. Proclamation honoring former Mayor Berlin J. Myers (To be distributed under separate cover)
2. Pattison's Academy: Pedal 4 Pattison's Month Proclamation – Councilmember Seekings
3. Spay/Neuter Month Proclamation (Pet Helpers)
4. Presentation of MLK Picture Award – Councilmember Riegel
5. Recognition of the awarding of subcontractor contracts relative to the Gaillard Center
6. Holocaust Remembrance Proclamation

E. Public Hearings

1. An ordinance amending ordinance number 2012-418, entitled “an ordinance to make appropriations to meet the liabilities of the City of Charleston for fiscal year ending December 31, 2013” to make additional appropriations to meet the liabilities of the City of Charleston for the fiscal year ending December 31, 2013. (AS AMENDED) **(Second Reading)**
2. An ordinance amending ordinance number 2012-419, entitled “an ordinance to raise funds for the fiscal year ending December 31, 2013”, in order to raise additional funds to meet the additional appropriations for the fiscal year ending December 31, 2013 authorized by ordinance 2013-_____. (AS AMENDED) **(Second Reading)**
3. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 19 Folly Road Boulevard (West Ashley) (0.40 acre) (TMS #421-11-00-063), be rezoned from General Business (GB) classification to Mixed Use (MU-2) classification.

4. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 25 Folly Road Boulevard (West Ashley) (1.78 acres) (TMS #421-11-00-058), be rezoned from General Business (GB) classification to Mixed Use (MU-2) classification.
5. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 35 Folly Road Boulevard (West Ashley) (3.44 acres) (TMS #421-11-00-057), be rezoned from General Business (GB) classification to Mixed Use (MU-2) classification.
6. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that Bees Ferry Road (West Ashley) (9.91 acres) (TMS #356-00-00-013), annexed into the City of Charleston June 15, 2004 (#2004-058), be rezoned from Diverse Residential (DR-12) classification to General Business (GB) classification.
7. An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2324 Ashley River Road (West Ashley) (3.04 acres) (TMS #353-05-00-004), be zoned Light Industrial (LI) classification.
8. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by adding to Sec. 54-120, Definitions, definitions for "Deferred Presentment Lender", "Title Loan Lender" and "Short Term Lender", and by adding to Sec. 54- 207, Part 3, Table of Permitted Uses, a classification for "Short Term Lender" as a conditional use in the General Business (GB) and Light Industrial (LI) and Heavy Industrial (HI) zoning districts and by adding a subpart (u) setting out the conditions for such uses.
9. An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-120 thereof so as to amend the definition for casino and by amending Section 54-207 (n) thereof so as to prohibit casinos within 1,000 feet of residential zone districts, churches, schools and the highwater mark of navigable streams and amortize non-conforming casinos (AS AMENDED). **(Second Reading)**

F. Act on Public Hearing Matters

G. Approval of City Council Minutes:

1. February 12, 2013

H. Citizen Participation Period

I. Petitions and Communications:

1. Berkeley-Charleston-Dorchester Council of Governments (BCD COG) Board of Directors Appointments

2. Charleston Area Transportation Study (CHATS) Policy Committee Appointments
3. Commission on the Colonial Commons and Ashley River Embankment Appointment

J. Council Committee Reports:

1. **Committee on Public Safety (Meeting was held Tuesday, February 19, 2013 at 4:00 p.m.)**
(Review and approval of Charleston Fire Department's Strategic Plan 2013-2015
(Updates:
 - Police Department
 - Fire Department
 - Emergency Management

2. **Committee on Traffic and Transportation (Meeting was held Tuesday, February 26, 2013 at 3:00 p.m.)**
(Application for Original Certificate of Public Convenience and Necessity Certificate for Taxi Cab/Limo
 - Port City Executives Car Service, LLC (Taxi)
 - Julius Cuttino, Jr. (Taxi)
 - Joseph Snipe, Jr., DBA 1 on One Transport (Taxi)
 - Naseeb Rahhal, DBA Charleston Peninsula Transportation

(An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 19, Sections 91 and 92 to create a Skateboard Pilot Program which will redesign the No Skateboard Zone on the Peninsula, and authorize and regulate the operation of skateboards on the public streets in the City outside of the No Skateboard Zone.

(Public Hearing held Tuesday, February 26, 2013 at 3:30 p.m.)

3. **Committee on Public Works and Utilities (Meeting was held Tuesday, February 26, 2013 at 4:00 p.m.)**
(Revisions to Stormwater Design Standards Manual
(2012 Phase 2 Report to DHEC

4. **Committee on Ways and Means:**

(Bids and Purchases

(Resolution to amend paragraphs C and E of the Procurement Policy of the City of Charleston to establish a local vendor recognition provision for construction services and goods and supplies.

(Police Department: Approval to submit the 2013 SC Department of Public Safety Victims of Crime Act grant application in the amount of \$72,022 for CPD Enhanced Services for the Victims of Violent Crime. A City match is required in the amount of \$18,006 and will be funded through the State office of the Victim's Assistance Fund.

- (Parks-Capital Projects: Approval to submit an application for KaBOOM Alumni grant program in the amount of \$25,000 for the shade structure at the existing KaBOOM Playground at Brittlebank Park. The grant provides a \$25,000 cash award and requires a \$10,000 match value. The match funds can be in the form of donated materials, staff time and cash. Work must be completed no later than March 01, 2014. The program is limited to grantor selected vendors. The grant match funds will be provided through the Parks Grounds Operations 2013/2014 funds.
- (Parks-Capital Projects: Approval to submit an application for the Healthy South Carolina Initiatives (HSCI) Community Action grant in the amount of \$115,000 for signage and related improvements on the West Ashley Greenway. The signage would include route, wayfinding, educational, and regulatory information. The grant is developed in partnership with Lighten Up Charleston, Eat Smart Move More Charleston Tri-County, BCD COG and others with the City serving as the fiscal agent. City staff from Parks, Wellness and Grants Administration have been working with partner agencies developing the scope. The grant requires no matching funds. After-the-fact Council approval is requested.
- (Parks-Capital Projects: Approval to submit an application for FY2013 NOAA Coastal & Marine Habitat Restoration grant in the amount of not-to-exceed \$650,000 for culvert replacement at West Ashley Greenway Longbranch Creek Crossing. The grant requires no matching funds and was identified by the local NOAA staff as a highly competitive project. After-the-fact Council approval is requested.
- (Parks-Capital Projects: Approval of Change Order #5 with Linden Construction of South Carolina, Inc., in the amount of \$58,999 for addition of a truck canopy on the Milford Street Facility Renovation. The truck canopy provides NPDES approved coverage for conducting repairs/maintenance on vehicles too large to fit inside the current maintenance facility.
- (Parks-Capital Projects: Approval to award a contract with Branks General Contractors/Coast Roofing Company, Joint Venture, in the amount of \$136,400 to replace the low slope roofs on the Joseph P. Riley, Jr. Ballpark. With the approval of the budget, Staff is authorized to award and/or amend contracts less than \$40,000 to the extent contingency funds exist in the Council Approved Budget. (PR130881)
- (Public Service: Approval of engineering and surveying services in the amount of \$42,065 to evaluate the condition of a piped storm drainage system in the right of way of Wagener Avenue in the Wagener Terrace neighborhood and develop recommendations for repair and/or maintenance of the drainage system. The work will include providing necessary field surveys of the project area, CCTV inspection of the existing trunk line, the preparation of bid documents for construction, repair or maintenance work depending on the results and recommendations of the initial evaluation.
- (Authorize the Mayor to execute the Updated and Revised Transfer Agreement conveying 29 Sans Souci Street to the Charleston Human Services Commission for \$1.00. The Original Agreement was approved on January 26, 2010 but did not close as agreed. The Updated and

Revised Transfer Agreement provides for closing by March 12, 2014.
(TMS: 463-08-02-032) [Ordinance]

(Consider the following annexations:

- 2060 Vestry Drive (TMS# 355-14-00-021) 0.30 acre, St. Andrews Parish, District 2
- Tallent Lane (TMS# 313-00-00-043) 9.53 acres, Johns Island, District 5

Give first reading to the following bills and adopt resolutions coming from Ways & Means:

K. Bills up for Second Reading

1. *An ordinance authorizing the Mayor to execute the necessary documents to enter into that certain Agreement of Purchase and Sale between the City of Charleston and the Humanities Foundation, Inc., a Georgia nonprofit corporation, for the transfer of seven (7) properties (or portions thereof) in the City and County of Charleston, State of South Carolina, for the purchase price of one dollar (\$1.00) per parcel and bearing TMS no. 459-05-04-192, TMS No. 459-05-04-198, TMS No. 459-05-04-116, TMS No. 459-05-04-193, TMS No. 459-05-04-194, TMS No. 459-05-04-195 and TMS No. 459-05-04-197, said Agreement of Purchase and Sale being marked as Exhibit 1, attached hereto and incorporated by reference herein.*
2. *An ordinance to provide for the annexation of property known as 2324 Ashley River Road (3.04 acre) (TMS# 353-05-00-004), St. Andrews Parish, Charleston County, to the City of Charleston and includes all marshes, public waterways, and public rights-of-way, shown within the area annexed upon a map attached hereto and make it part of District 10.*
3. *An ordinance to provide for the annexation of property known as 507 Arlington Drive Units A-D (0.50 acre) (TMS# 310-07-00-091), St. Andrews Parish, Charleston County, to the City of Charleston and includes all marshes, public waterways, and public rights-of-way, shown within the area annexed upon a map attached hereto and make it part of District 11.*
4. *An ordinance to provide for the annexation of property known as Main Road (0.4 acre) (TMS#: 285-07-00-004), St. Andrews Parish, Charleston County, to the City of Charleston and includes all marshes, public waterways, and public rights-of-way, shown within the area annexed upon a map attached hereto and make it part of District 5. (DEFERRED)*
5. *An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 19, Section 91(a)(4) to clarify and expand the areas where the use of roller skates, in-line skates, skateboards, toy scooters, coasters, and motorized toy vehicles are prohibited. (DEFERRED FOR PUBLIC HEARING)*

L. Bills up for First Reading

1. *An ordinance to amend the Code of the City of Charleston, South Carolina, Chapter 29, Section 211(a) to clarify and limit the number of horse-drawn carriages that may be operated/permitted in the central loading zone.*
2. *An ordinance to amend the City of Charleston Visitor Accommodations Study, dated February 10, 1998, by modifying the text therein related to "Accommodations Inventory" and by revising the Map contained therein entitled "1998 Visitor Accommodations Study Proposed Accommodation Overlay District Amendments."*
3. *An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by revising Section 54-220 (b) (1) by amending subpart (a) pertaining to the effect of accommodations uses on housing stock, by amending subpart (e) to require building floor plans, elevations, and detailed written assessment reports with applications for an accommodation special exception, by adding new subpart to be labeled (c) pertaining to the floor area of restaurant and bar space in accommodations facilities and re-lettering the following subparts of said section; by revising Section 54-220 (b) (1) (e) (7) to require that accessory uses in accommodations facilities be assessed in terms of size and impact on parking and traffic generation; revising Section 54-220 (b) (1) (e) (15) pertaining to limits on the number of rooms in facilities; to revise Section 54-220 (b) (1) (e) (16) pertaining to the provision of shuttle bus service by accommodations facilities; and to amend the Zoning Map pertaining to the accommodations overlay zone district in the peninsula portion of the City in accordance with the map attached to this ordinance.*
4. *An ordinance to amend the Code of the City of Charleston by adding to Chapter 19 thereof, motor vehicles and traffic, a new Article XX pertaining to the operation of golf carts and low speed vehicles in the City. (DEFERRED)*
5. *An ordinance to amend the Zoning Ordinance of the City of Charleston by adding to Sec. 54-102 (c) (1), Special Zoning Districts, Overlay Zones, the words "Downtown Commercial Transportation Services Overlay Zone", by adding to Sec. 54-202, Overlay Zones, a new subsection (i) establishing and defining the Downtown Commercial Transportation Services (DCT) Overlay Zone and by adding a new Sec. 54-228 setting forth the regulations of the Downtown Commercial Transportation Services Overlay Zone. (DEFERRED)*

M. Miscellaneous Business:

1. The next regular meeting of City Council will be March 12, 2013 at 5:00 p.m. at Bishop Gadsden, 1 Bishop Gadsden Way.



D2

City of Charleston

Joseph P. Riley, Jr.

Mayor

PROCLAMATION

- WHEREAS, **PATTISON'S ACADEMY FOR COMPREHENSIVE EDUCATION** is a Charleston facility dedicated to improving the quality of life for children with multiple and severe disabilities; and
- WHEREAS, **PATTISON'S ACADEMY'S** staff provides a comprehensive education program that integrates educational curricula and functional rehabilitation instruction to maximize the potential and well-being of every one of its students and so ensure family inclusion throughout; and
- WHEREAS, **PATTISON'S ACADEMY** runs the only therapeutic summer camp in the Charleston area and one of only a handful in the country; and
- WHEREAS, **PATTISON'S ACADEMY: PEDAL 4 PATTISON'S**, a four-hour Spinning Marathon to raise money for Pattison's Academy and the amazing work it does, was founded by these extraordinary people: Jodi Bateman, Rebecca Young, Luciana Marcial-Vincion, Allyson Carter, Catherine O'Sullivan, Vatsa Shamanna, Alice Keeney, George Martin, Aimee' Ratner and several dedicated volunteers known as the *Pattison Warriors*; and
- WHEREAS, **PATTISON'S ACADEMY: PEDAL 4 PATTISON** has raised \$750,000 in five years, increasing the amount raised each successive year.

NOW, THEREFORE, I, Joseph P. Riley, Jr., Mayor of the City of Charleston, do hereby proclaim the month of March, 2013 as:

PATTISON'S ACADEMY: PEDAL 4 PATTISON'S MONTH

in the City of Charleston, in recognition and honor of the extraordinary efforts of all involved to the school and fundraising event.

IN WITNESS WHEREOF, I have hereunto set my Hand and caused the Seal of the City of Charleston to be affixed this ____ day of February, 2013.

Joseph P. Riley, Jr., Mayor



P.O. Box 652 Charleston, South Carolina 29402
843-577-6970 Fax 843-720-3827





D3

City of Charleston

Joseph P. Riley, Jr.

Mayor

PROCLAMATION

- WHEREAS, more than 10,700 stray, unwanted, injured and abused pets were taken into animal welfare facilities in Charleston County in 2012; and
- WHEREAS, almost one in five of these unwanted pets was euthanized; and
- WHEREAS, an additional unknown number of animals die each year due to abandonment, neglect, abuse, starvation or cruelty; and
- WHEREAS, animals taken into the County's animal control system incur costs of about \$100 each, thereby costing taxpayers in Charleston County more than \$1 million annually; and
- WHEREAS, Pet Helpers, a privately funded, limited admission animal rescue and welfare nonprofit organization and the only such organization located within the city limits of Charleston, is committed to ending the euthanasia of adoptable pets; and
- WHEREAS, the spaying and neutering of pets is the most effective means of addressing the problem of pet overpopulation; and
- WHEREAS, in 2012 Pet Helpers saved the lives of 1,716 pets and spayed/neutered an additional 3,038 pets at no cost to the taxpayer, and
- WHEREAS, Pet Helpers' Greer Spay/Neuter Clinic provides high-quality, low-cost sterilization surgeries of animals to all citizens of Charleston regardless of where they got their pet; and is the only spay/neuter clinic that provides free spay/neuter services to low-income families in the City's 29403, 29407 and 29412 ZIP code areas; and
- WHEREAS, Pet Helpers' volunteers, in conjunction with its Spay/Neuter Clinic and the ASPCA, provide free sterilizations to feral cats as a way to humanely reduce, with the goal of eventually eliminating the feral cat populations in Charleston; and
- WHEREAS, the Citizens of Charleston can contribute to this effort by spaying or neutering their own companion animals and by supporting programs in their communities that offer spay/neuter services;

NOW, THEREFORE, I, Joseph P. Riley, Jr., Mayor, City of Charleston, do proclaim February, 2013 as:

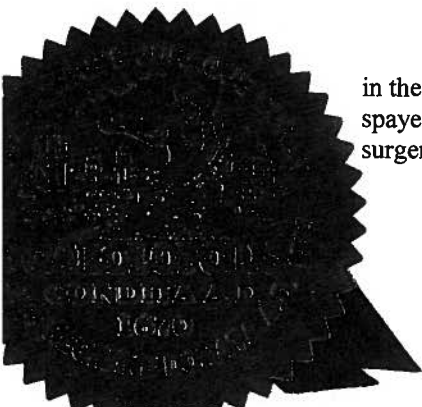
SPAY/NEUTER MONTH

in the City of Charleston, and urge all residents to observe the month by having their pets spayed and neutered and by contributing to those organizations that provide spay/neuter surgeries to the public.



Joseph P. Riley, Jr., Mayor

*P.O. Box 652 Charleston, South Carolina 29402
843-577-6970 Fax 843-720-3827*





D6

City of Charleston

Joseph P. Riley, Jr.

Mayor

PROCLAMATION

WHEREAS, the Holocaust was the state-sponsored, systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945. Jews were the primary victims – six million of whom were murdered; Gypsies, the handicapped, and Poles were also targeted for destruction or decimation for racial, ethnic, or national reasons. Millions more, including homosexuals, Jehovah's Witnesses, Soviet prisoners of war and political dissidents, also suffered grievous oppression and death under Nazi tyranny; and

WHEREAS, the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies, and governments; and

WHEREAS, we the people of the City of Charleston should always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution, and tyranny; and

WHEREAS, we the people of Charleston should actively rededicate ourselves to the principles of individual freedom in a just society; and

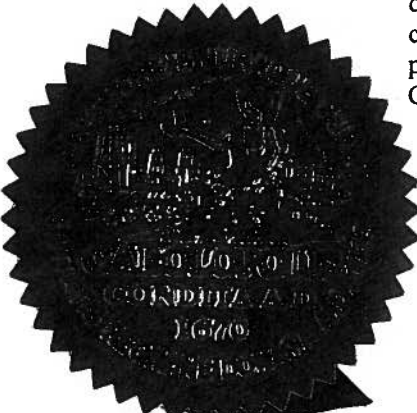
WHEREAS, the Days of Remembrance have been set aside for the people of the City of Charleston to remember the victims of the Holocaust as well as to reflect on the need for respect of all peoples; and

WHEREAS, pursuant to an Act of Congress (Public Law 96-388, October 7, 1980) the United States Holocaust Memorial Council designates the Days of Remembrance of the Victims of the Holocaust to be Sunday, April 7 through Sunday, April 14, including the Day of Remembrance known as Yom HaShoah, Sunday, April 7th.

NOW, THEREFORE, I, Joseph P. Riley Jr., Mayor of the City of Charleston, do hereby proclaim the week of Sunday, April 7 through Sunday, April 14 as:

DAYS OF REMEMBRANCE IN MEMORY OF THE VICTIMS OF THE HOLOCAUST

and, in honor of the survivors, as well as the rescuers and liberators, and further proclaim that we, as citizens of Charleston, South Carolina should promote human dignity and confront hate whenever and wherever it occurs. I encourage you to join the community in remembering the victims during the Community-wide Yom HaShoah program, Sunday April 7, at 3:00 P.M. at Kahal Kadosh Beth Elohim, 90 Hasell St. in Charleston.



Joseph P. Riley, Jr., Mayor

P.O. Box 652, Charleston, South Carolina 29402
843-577-6970 Fax 843-720-3827

**NOTICE OF PUBLIC HEARING
CITY OF CHARLESTON, SOUTH CAROLINA
2013 BUDGET AMENDMENT**

NOTICE IS HEREBY GIVEN that the City Council of the City of Charleston, South Carolina, at its regular meeting on February 26, 2013, beginning at 5:00 p.m. in Council Chambers at 80 Broad St., in the City of Charleston, South Carolina, will conduct a public hearing on an amendment to the City's budget for the fiscal year ending December 31, 2013, and the enactment of ordinances to so amend the budget. The total projected revenues and operating expenditures for the 2013 Approved and the 2013 Amended budgets are as follows:

GENERAL FUND AND ENTERPRISE FUNDS

	<u>2013 Approved Budget</u>	<u>2013 Amended Budget</u>
Revenues and other Financing Sources	\$160,045,139	\$163,979,516
Expenditures	\$160,045,139	\$163,979,516

The proposed amendment to the budget for the fiscal year ending December 31, 2013 adds \$3,934,377 in appropriations to the adopted budget for the fiscal year ending December 31, 2013 resulting in a total operating budget of \$163,979,516. Such amount represents a 5.9% increase in the operating budget for the fiscal year ending December 31, 2013 as compared to the fiscal year ending December 31, 2012. The millage rate for the previous fiscal year ending December 31, 2012 and presently adopted budget for fiscal year ending December 31, 2013 is 76.8 mills. The proposed amended millage rate for the fiscal year ending December 31, 2013 will be 80.8 mills. The total projected property tax revenue for fiscal year ending December 31, 2013 is estimated to be \$62,409,956.

VANESSA TURNER-MAYBANK
Clerk of Council

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL interpretation, or other accommodation please contact Janet Schumacher at (843) 724-3730 or mail to schumacherj@charleston-sc.gov three days prior to the meeting.

Please insert as a Display Ad in the Post Courier on February 10, 2013. Please charge to account PC103190 **Blanket PO# PR130443**

Please insert as a Display Ad in the Chronicle on February 13, 2013. **Account Number: PR130892**

PUBLIC HEARING

The public is hereby advised that the City Council of Charleston will hold a public hearing Tuesday, February 26, 2013, beginning at 5:00 p.m. at City Hall, 80 Broad Street, on the request that the Zoning Ordinance of the City of Charleston be changed in the following respects:

REZONINGS

1. To rezone 19 Folly Road Boulevard (*West Ashley*) (0.4 acre) (TMS# 421-11-00-063) from General Business (GB) classification to Mixed-Use (MU-2) classification.
2. To rezone 25 Folly Road Boulevard (*West Ashley*) (1.78 acres) (TMS# 421-11-00-058) from General Business (GB) classification to Mixed-Use (MU-2) classification.
3. To rezone 35 Folly Road Boulevard (*West Ashley*) (3.44 acres) (TMS# 421-11-00-057) from General Business (GB) classification to Mixed-Use (MU-2) classification.
4. To rezone Bees Ferry Road (*West Ashley*) (9.91 acres) (TMS# 356-00-00-013) from Diverse Residential (DR-12) classification to General Business (GB) classification.

ZONING

To zone the following property:

1. 2324 Ashley River Road (*West Ashley*) (3.04 acres) (TMS# 353-05-00-004) Light Industrial.

ORDINANCE AMENDMENTS

1. To amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by adding to Sec. 54-120, Definition's, definitions for "Deferred Presentment Lender", "Title Loan Lender" and "Short Term Lender", and by adding to Sec. 54-207, Part 3, Table of Permitted Uses, a classification for "Short Term Lender" as a conditional use in the General Business (GB) and Light Industrial (LI) and Heavy Industrial (HI) zoning districts and by adding a subpart (u.) setting out the conditions for such uses.
2. To amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Section 54-120 thereof so as to amend the definition for casino and by amending Section 54-207 (n) thereof so as to prohibit casinos within 1,000 feet of residential zone districts, churches, schools and the highwater mark of navigable streams and amortize non-conforming casinos. **(AMENDED)**

VANESSA TURNER-MAYBANK

Clerk of Council

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL interpretation, or other accommodation please contact Rachel Barker at (843) 724-3730 or mail to barkerr@charleston-sc.gov three days prior to the meeting.

Please insert as a Display Ad in the Post Courier on Sunday, February 10, 2013. Charge account PC103190. **Blanket PO# PR130443**

Please insert in the Chronicle as a Display Ad on Wednesday, February 13, 2013.

Please provide an affidavit for all public hearing notices. PR number PR130816

CITY OF CHARLESTON PLANNING COMMISSION MEETING REPORT

MEETING OF JANUARY 16, 2013

A meeting of the City of Charleston Planning Commission was held at **5:00 p.m., on Wednesday, January 16, 2013** in the Meeting Room, Third Floor at 75 Calhoun Street (Charleston County School District Building). The following items were considered:

REZONINGS

1. **19 Folly Rd Blvd (West Ashley) TMS# 4211100063** – 0.4 ac. Request rezoning from General Business (GB) to Mixed-Use (MU-2).

RECOMMENDED APPROVAL

2. **25 Folly Rd Blvd (West Ashley) TMS# 4211100058** – 1.78 ac. Request rezoning from General Business (GB) to Mixed-Use (MU-2).

RECOMMENDED APPROVAL

3. **35 Folly Rd Blvd (West Ashley) TMS# 4211100057** – 3.44 ac. Request rezoning from General Business (GB) to Mixed-Use (MU-2).

RECOMMENDED APPROVAL

4. **Bees Ferry Rd (West Ashley) TMS# 3560000013** – 9.91 ac. Request rezoning from Diverse Residential (DR-12) to General Business (GB).

RECOMMENDED APPROVAL

SUBDIVISIONS

1. **Walter Dr & Cane Slash Rd (Maybank Village - Johns Island) TMS# 3130000054, 056 & 057** – 59.22 ac. Request subdivision concept plan approval. Single-Family Residential (SR-6) pending City Council approval.

APPROVED

2. **Harbortowne Rd (Harbor Woods - James Island) TMS# 4280000009** – 15.35 ac. Request subdivision concept plan approval. Zoned Single-Family Residential (SR-1).

APPROVED WITH CONDITION

ZONING

1. **1109 Wappoo Rd (West Ashley) TMS# 3511500003 - 3.30 ac.** - Request zoning of General Business (GB). Zoned Community Commercial (CC) in Charleston County.

RECOMMENDED APPROVAL

2. **Clements Ferry Rd (Cainhoy) TMS# 2710002159 – 6.84 ac.** - Request zoning of Light Industrial (LI). Zoned Light Industrial (LI) in Berkeley County.

RECOMMENDED APPROVAL

ORDINANCE AMENDMENTS

1. **Barre St and Halsey St (Barre/Halsey PUD - Peninsula) TMS# 4570204026, 027, 028, 029, 030, 048, 049, 050, 051 and 052** – 2.60 acres. Request an amendment to the Planned Unit Development Master Plan and Development Guidelines for this property.

DEFERRED BY APPLICANT

2. Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by **adding to Sec. 54-120, Definition's, definitions for "Deferred Presentment Lender", "Title Loan Lender" and "Short Term Lender", and by adding to Sec. 54-207, Part 3, Table of Permitted Uses, a classification for "Short Term Lender" as a conditional use in the General Business (GB) and Light Industrial (LI) and Heavy Industrial (HI) zoning districts and by adding a subpart (u.) setting out the conditions for such uses.**

RECOMMENDED APPROVAL

REPORT OF THE TECHNICAL REVIEW COMMITTEE

Over the past month, the following subdivision projects were submitted to the TRC for review and approval. The findings of the TRC shall be presented to the Planning Commission. Items approved by the TRC comply with all applicable regulations and standards of the City of Charleston.

PRELIMINARY & FINAL PLATS

1. **MAYBANK HWY (CROWNE APTS – JOHNS ISLAND)** - TMS# 3130000018, 34.55 ac, large tracts & new roads, PUD. Preliminary subdivision plat under review.
2. **1623 SECESSIONVILLE RD (JAMES ISLAND)** - TMS# 4270000075, 1.9 ac, 2 lots, SR-1. Final subdivision plat approved.
3. **2451 KEMWAY ROAD (JOHNS ISLAND)** - TMS# 3170000230, 6.914 acres, 2 lots, RR-1. Final subdivision plat approved.
4. **ALBEMARLE RD (WEST ASHLEY)-** TMS# 4211500001, 2 lots, 0.19 ac + resid, SR-1. Final subdivision plat under review.
5. **LOUISVILLE STREET (DANIEL ISLAND PARCEL CC PHASE 3A)** TMS# 2750000116, 24 lots, 5.4 acres, DI-R. Final subdivision plat approved.
6. **MAYBANK HWY (SHADE TREE APTS – JOHNS ISLAND)** - TMS# 3130000085, 21.976 ac, 2 tracts, SR-1/ND. Final subdivision plat approved.
7. **BEE'S FERRY RD (WEST ASHLEY CIRCLE)** - TMS# 3010000031 & 040 – 103.322 ac, 4 tracts. Final subdivision plat approved.

ROAD CONSTRUCTION PLANS

1. **MAYBANK HWY (CROWNE APTS – JOHNS ISLAND)** - TMS# 3130000018, 34.55 ac, large tracts & new roads, PUD. Road construction plans under review.
2. **SPRING/FISHBURNE/US 17 (PENINSULA)** NO TMS# - right-of-way. Road construction plans under review.

CITY OF CHARLESTON PLANNING COMMISSION

MEETING OF FEBRUARY 20, 2013

A meeting of the City of Charleston Planning Commission will be held at **5:00 p.m., on Wednesday, February 20, 2013** in the Meeting Room, Third Floor at 75 Calhoun St (Charleston County School District Building). The following applications will be considered:

PLAN AMENDMENT

1. Request approval to amend the Visitors Accommodation Study of January, 1998, **regarding accommodations uses in the 325 Calhoun Street area.**

Contact: Christopher Morgan – Planning Division Director

REZONINGS

1. **325 Calhoun St (Harleston Village – Peninsula) TMS# 4570202003** – 1.072 ac. Request rezoning to include the subject property in the Accommodations Overlay (A). Zoned Limited Business (LB).

Owner: Roper Hospital, Inc. – Matt Severance

Applicant: Trident Construction - Chappy McKay

2. **Seaside Plantation Dr (Seaside Plantation – James Island) TMS# 4270000064 & 065** – 41.51 ac. Request rezoning from Single-Family Residential (SR-2) to Planned Unit Development (PUD).

Owner: Elizabeth Freeman

Applicant: Middle Street Partners, LLC

3. **Maybank Hwy (Johns Island) TMS# 3130000031** – 5.24 ac. Request rezoning from Diverse Residential (DR-9) to Single-Family Residential (SR-2).

Owner: Pomona-Maybank, LLC – Russell Bennett

Applicant: Infrastructure Consulting & Engineering

4. **1387 Harbor View Rd (James Island) TMS# 4240700027** – 2.6 ac. Request rezoning from Single-Family Residential (SR-1) to Diverse Residential elderly housing (DR-4).

Owner: MPA Legacy Properties, LLC

Applicant: Easlan Capital – Michael Clements

SUBDIVISION

1. **Seaside Plantation Dr (Seaside Plantation – James Island) TMS# 4270000064 & 065** – 41.51 ac. Request subdivision concept plan approval. Planned Unit Development (PUD) zoning pending approval.

Owner: Elizabeth Freeman

Applicant: Middle Street Partners, LLC

ZONING

1. **2324 Ashley River Rd (West Ashley) TMS# 3530500004** – 3.04 ac. Request zoning of Light Industrial (LI). Zoned Neighborhood Commercial (CN) in Charleston County.

STREET NAME CHANGE

1. **Request to rename a portion of St. Philip St and a portion of Fishburne Street to Engel Way.**
Contact: Kittie Whiddon – Dept. of Planning, Preservation & Sustainability

ORDINANCE AMENDMENTS

1. **Barre St and Halsey St (Barre/Halsey PUD - Peninsula) TMS# 4570204026, 027, 028, 029, 030, 048, 049, 050, 051 and 052** – 2.60 acres. Request an amendment to the Planned Unit Development Master Plan and Development Guidelines for this property.
Owner: Various owners
Applicant: Bennett Hofford Construction Co., Inc.
2. Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending **regulations for "Accommodations Uses" within the City of Charleston and the zone map, which is part thereof, so that 325 Calhoun St (TMS# 4570202003) shall be rezoned to be included in the Accommodations Overlay and shall be permitted to contain one accommodations use with a total number of rooms that shall not exceed 150.**
Contact: Lee Batchelder, Zoning Administrator
3. Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by **amending Section 54-120 thereof so as to amend the definition for Casino and by amending Section 54-207(n) thereof so as to prohibit Casinos within 1,000 feet of residential zone districts, churches, schools and the highwater mark of navigable streams and amortize non-conforming Casinos.**
Contact: Lee Batchelder, Zoning Administrator

REPORT OF THE TECHNICAL REVIEW COMMITTEE

Over the past month, the following subdivision projects were submitted to the TRC for review and approval. The findings of the TRC shall be presented to the Planning Commission. Items approved by the TRC comply with all applicable regulations and standards of the City of Charleston.

PRELIMINARY & FINAL PLATS

1. **SEASIDE PLANTATION DR/SECESSIONVILLE RD (STONEBRIDGE @ SEASIDE PLANTATION)** - TMS# 4270000050, 26.4 ac, 88 lots, SR-6. Preliminary subdivision plat under review.
2. **261 RUTLEDGE AVE & KENNEDY CT (PENINSULA)** - TMS# 4600704003, 0.13 ac, 2 lots, SR-6. Preliminary subdivision plat under review.
3. **58 SIMONS ST (NORTH CENTRAL - PENINSULA)** – TMS# 4631201142, 0.8 ac, 14 lots, DR-2F. Preliminary subdivision plat under review.

4. **MAYBANK HWY (JAMES ISLAND)** - TMS# 4240000001, 4.7 ac + resid, 1 lot + resid, GP. Final subdivision plat approved.
5. **JOHN FENWICK LANE (THE PRESERVE AT FENWICK – JOHNS ISLAND)** - TMS# 3460000257, 0.277 ac + resid, 1 lot + resid, PUD. Final subdivision plat approved.
6. **TOWNE ST (THE COTTAGES PHASE 2 AT JOHN'S RIVER CREEK – JOHNS ISLAND)** TMS# 3120000132, 5.463 ac, 12 lots, PUD. Final subdivision plat approved.

ROAD CONSTRUCTION PLANS

1. **SEASIDE PLANTATION DR/SECESSIONVILLE RD (STONEBRIDGE @ SEASIDE PLANTATION)** - TMS# 4270000050, 26.4 ac, 88 lots, SR-6. Road construction plans under review.
2. **58 SIMONS ST (NORTH CENTRAL – PENINSULA)** – TMS# 4631201142, 0.8 ac, 14 lots, DR-2F. Road construction plans under review.

Individuals with questions concerning the above items should contact the Department of Planning, Preservation and Sustainability at (843) 724-3787. Files containing information pertinent to the above applications are available for public review at the City of Charleston Zoning Office, 75 Calhoun St, Charleston County School District Building), Third Floor, during regular working hours, 8:30 a.m. to 5:00 p.m., daily except Saturdays, Sundays, and holidays. Additional information on these cases may also be obtained by visiting www.charleston-sc.gov/pc.



E1

Ratification
Number 2013-_____**AN ORDINANCE**

AMENDING ORDINANCE NUMBER 2012-418, ENTITLED " AN ORDINANCE TO MAKE APPROPRIATIONS TO MEET THE LIABILITIES OF THE CITY OF CHARLESTON FOR FISCAL YEAR ENDING DECEMBER 31, 2013" TO MAKE ADDITIONAL APPROPRIATIONS TO MEET THE LIABILITIES OF THE CITY OF CHARLESTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2013. (AS AMENDED)

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1: Ordinance Number 2012-418, entitled "An Ordinance to Make Appropriations to Meet the Liabilities of the City of Charleston for the Fiscal Year Ending December 31, 2013", ratified on December 18, 2012, is hereby amended by adding thereto in the line items as indicated the following sums:

GENERAL GOVERNMENT**Div. #****Div. Name****NON-DEPARTMENTAL**

181000	Employee Benefits		
	Personnel		0
	Fringe Benefits		60,621
	Operating		0
	Capital		0
	Total		60,621
	Total General Government - General Fund		60,621

PUBLIC SAFETY**POLICE DEPARTMENT**

200000	Police		
	Personnel		682,859
	Fringe Benefits		253,846
	Operating		358,474
	Capital		437,000
	Total		1,732,179
203000	Police Radio Shop		
	Personnel		0
	Fringe Benefits		0
	Operating		4,332
	Capital		0
	Total		4,332
210000	Fire		
	Personnel		0
	Fringe Benefits		0
	Operating		0
	Capital		1,110,000
	Total		1,110,000

211000	Fire Training		
	Personnel		152,100
	Fringe Benefits		88,087
	Operating		127,500
	Capital		0
	Total		367,687
	Total Public Safety - General Fund		3,214,198

TRANSFERS OUT

932000	General Fund Transfers Out		
	Transfers Out		203,059
	Personnel		0
	Fringe Benefits		0
	Operating		0
	Capital		0
	Total		203,059
	Total Transfers Out - General Fund		203,059
TOTAL ADDITIONAL GENERAL FUND APPROPRIATION:			3,477,878

Section 2: The monies herein appropriated will be derived from property tax revenue received in 2013.

Section 3: The Chief Financial Officer is hereby authorized and directed to make the necessary adjustments to the City's books.

Section 4: This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of February, in the Year of Our Lord, 2013, and in the 237th Year of the Independence of the United States of America.

Joseph P. Riley, Jr., Mayor

ATTEST:

Vanessa Turner-Maybank, Clerk of Council

E2



Ratification
Number 2013-_____

AN ORDINANCE

AMENDING ORDINANCE NUMBER 2012-419, ENTITLED "AN ORDINANCE TO RAISE FUNDS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2013", IN ORDER TO RAISE ADDITIONAL FUNDS TO MEET THE ADDITIONAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2013 AUTHORIZED BY ORDINANCE 2013-_____. (AS AMENDED)

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1: Ordinance number 2012-419, entitled "An Ordinance to Raise Funds for the Fiscal Year Ending December 31, 2013", and ratified on December 18, 2012 (the "Revenue Raising Ordinance"), is hereby amended by adding thereto the following sum in the line item indicated:

GENERAL FUND

Item 1. Property Taxes

Total General Fund Revenues and Other Financing Sources to be added

\$	3,477,878
\$	3,477,878

Section 2: In accordance with S.C. Code Ann. § 6-1-320 (Cum. Supp. 2012), there is hereby levied an additional 3.5 mills to the 76.8 mills levied for General Fund operations in Section 2 of the Revenue Raising Ordinance, for a total levy of 80.3 mills for General Fund operations. This millage represents an increase of 4.56% over the millage approved for the previous fiscal year, which is less than or equal to the amount of increase authorized by law. Thus, an operating millage of 80.3 mills is hereby levied upon every dollar value of all real and personal property in the City of Charleston to be appropriated for the purposes indicated in Ordinance Number 2012-418 (the 2013 Appropriations Ordinance), as amended by Ordinance Number 2013- (Amendment to 2013 Appropriations Ordinance).

Section 3: All other provisions of the Revenue Raising Ordinance remain as originally approved.

Section 4: The Chief Financial Officer is hereby authorized and directed to make the necessary adjustments to the City's books.

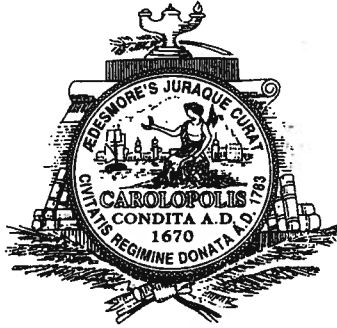
Section 5. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of February, in the Year of Our Lord, 2013,
and in the 237th Year of the Independence of the United States of America.

Joseph P. Riley, Jr., Mayor

ATTEST:

Vanessa Turner-Maybank, Clerk of Council



E3

Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 19 FOLLY ROAD BOULEVARD (WEST ASHLEY) (0.40 ACRE) (TMS #421-11-00-063), BE REZONED FROM GENERAL BUSINESS (GB) CLASSIFICATION TO MIXED USE (MU-2) CLASSIFICATION.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from General Business (GB) classification to Mixed Use (MU-2) classification.

Section 2. The property to be rezoned is described as follows:
19 Folly Road Boulevard (West Ashley) (0.40 acre) (TMS #421-11-00-063)

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____
in the Year of Our Lord 2012,
in the 237th Year of Independence of the United States
of America.

By:

Joseph P. Riley, Jr.
Mayor, City of Charleston

Attest:

Vanessa Turner-Maybank
Clerk of Council

Rezoning 1

19 Folly Rd Blvd (West Ashley)

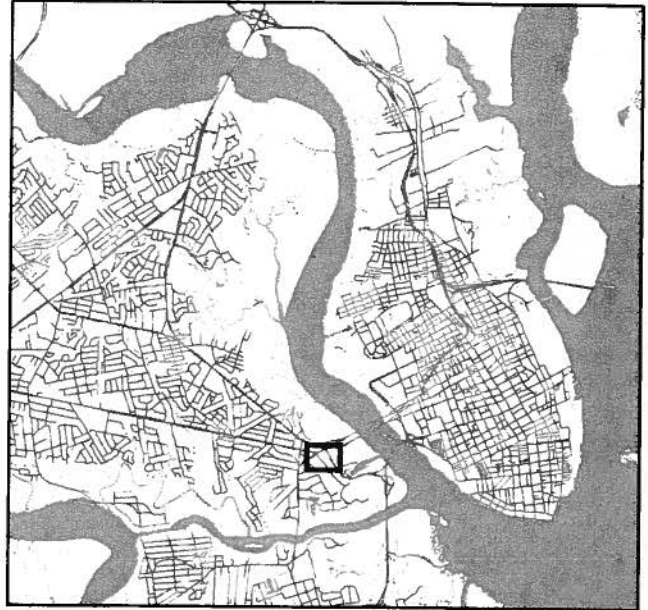
TMS# 4211100063

0.40 ac.

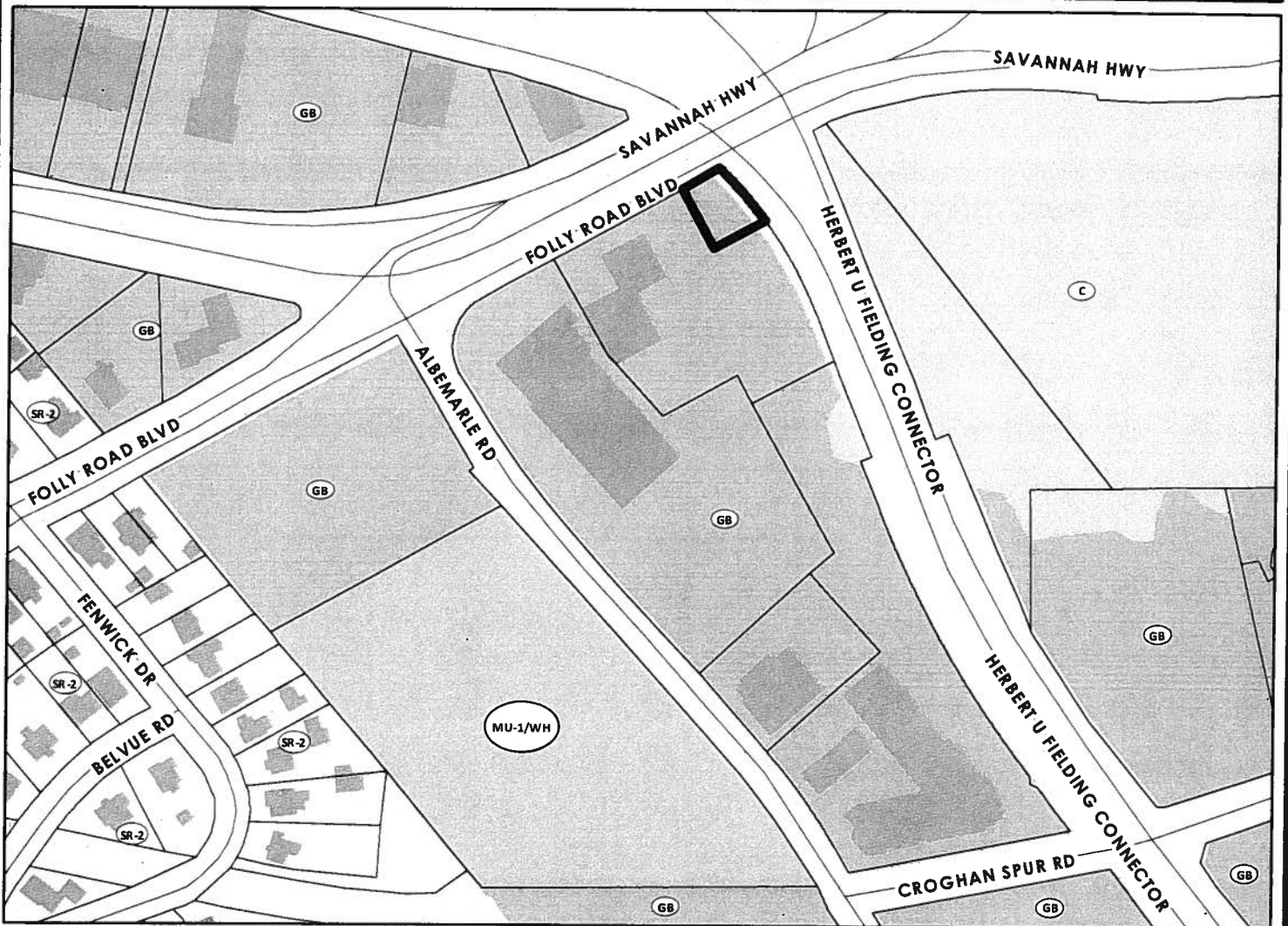
Request rezoning from General Business (GB) to
Mixed-Use (MU-2).

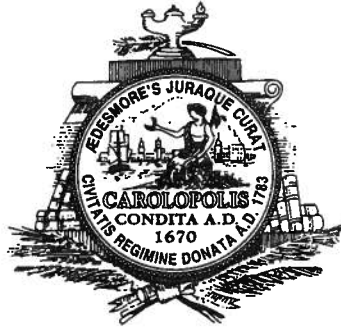
Owners: Werner G. Burky c/o Howell & Associates
Applicant: Thomas & Hutton – Tony Woody

Area



Location





E4

Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 25 FOLLY ROAD BOULEVARD (WEST ASHLEY) (1.78 ACRES) (TMS #421-11-00-058), BE REZONED FROM GENERAL BUSINESS (GB) CLASSIFICATION TO MIXED USE (MU-2) CLASSIFICATION.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from General Business (GB) classification to Mixed Use (MU-2) classification.

Section 2. The property to be rezoned is described as follows:
25 Folly Road Boulevard (West Ashley) (1.78 acres) (TMS #421-11-00-058)

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of _____
in the Year of Our Lord 2012,
in the 237th Year of Independence of the United States
of America.

By:

Joseph P. Riley, Jr.
Mayor, City of Charleston

Attest:

Vanessa Turner-Maybank
Clerk of Council

Rezoning 2

25 Folly Rd Blvd (West Ashley)

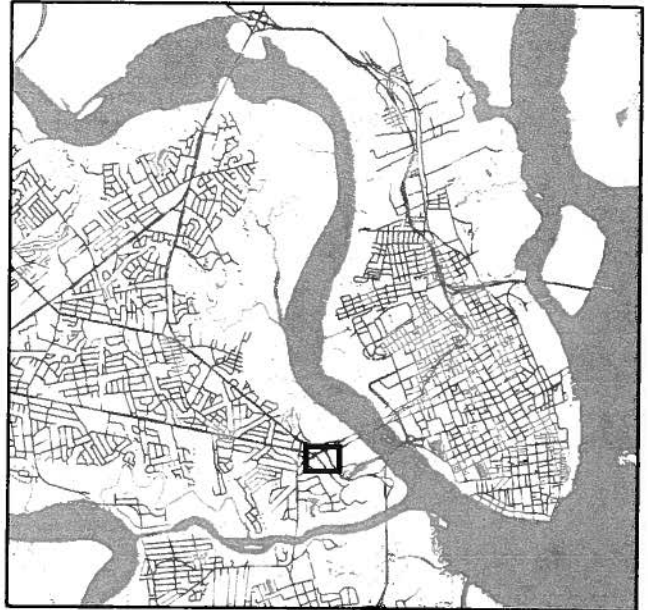
TMS# 4211100058

1.78 ac.

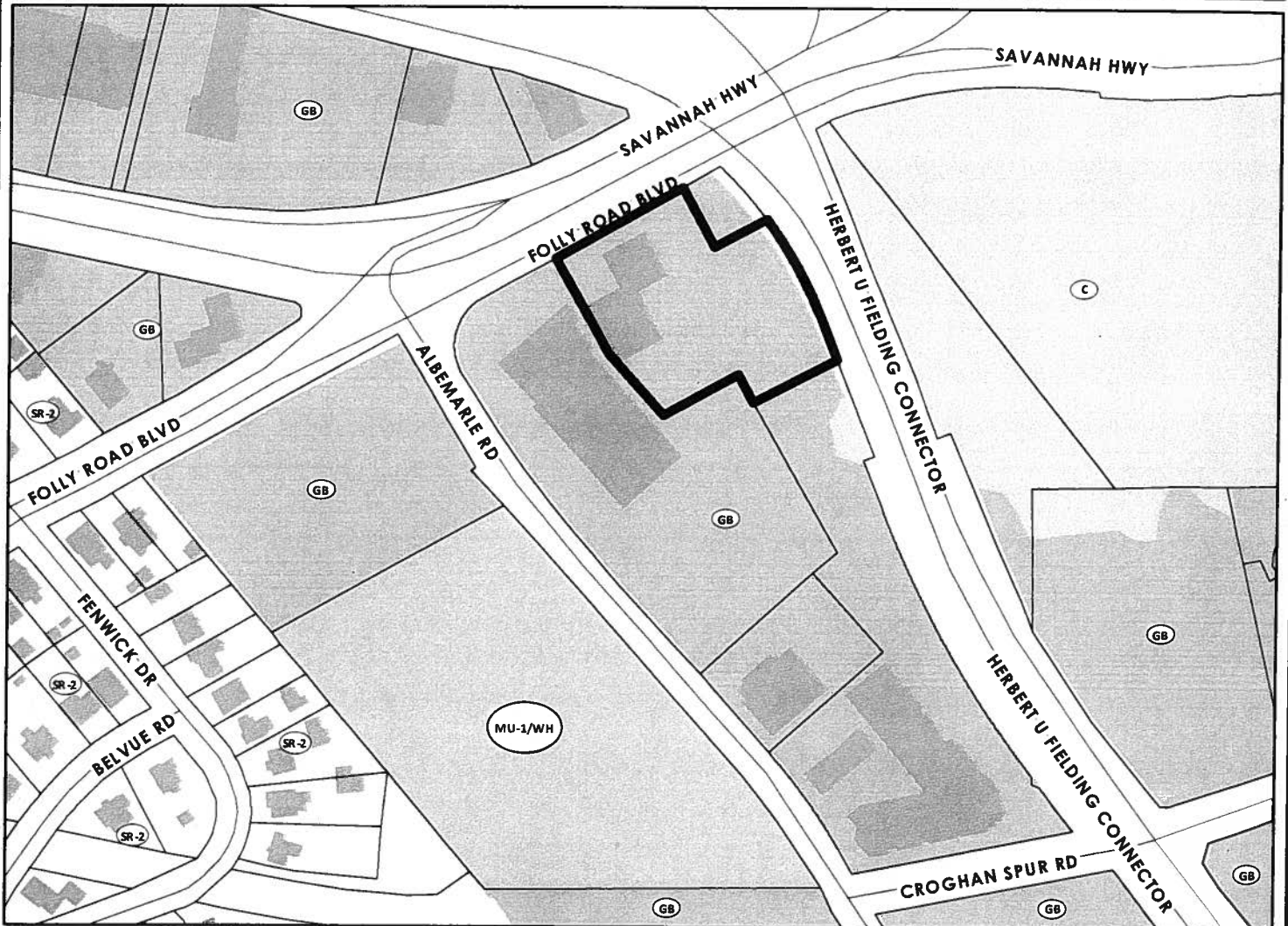
Request rezoning from General Business (GB) to
Mixed-Use (MU-2).

Owners: Werner G. Burky c/o Howell & Associates
Applicant: Thomas & Hutton – Tony Woody

Area



Location





E5

Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 35 FOLLY ROAD BOULEVARD (WEST ASHLEY) (3.44 ACRES) (TMS #421-11-00-057), BE REZONED FROM GENERAL BUSINESS (GB) CLASSIFICATION TO MIXED USE (MU-2) CLASSIFICATION.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from General Business (GB) classification to Mixed Use (MU-2) classification.

Section 2. The property to be rezoned is described as follows:
35 Folly Road Boulevard (West Ashley) (3.44 acres) (TMS #421-11-00-057)

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of _____
in the Year of Our Lord 2012,
in the 237th Year of Independence of the United States
of America.

By:

Joseph P. Riley, Jr.
Mayor, City of Charleston

Attest:

Vanessa Turner-Maybank
Clerk of Council

Rezoning 3

35 Folly Rd Blvd (West Ashley)

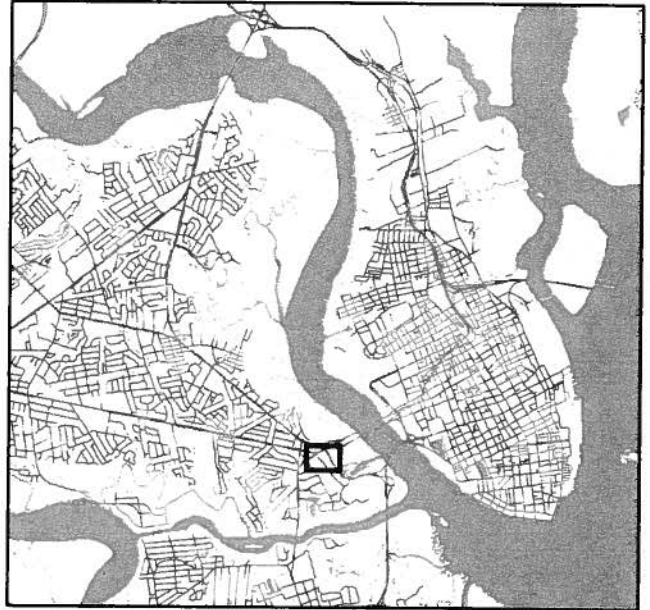
TMS# 4211100057

3.44 ac.

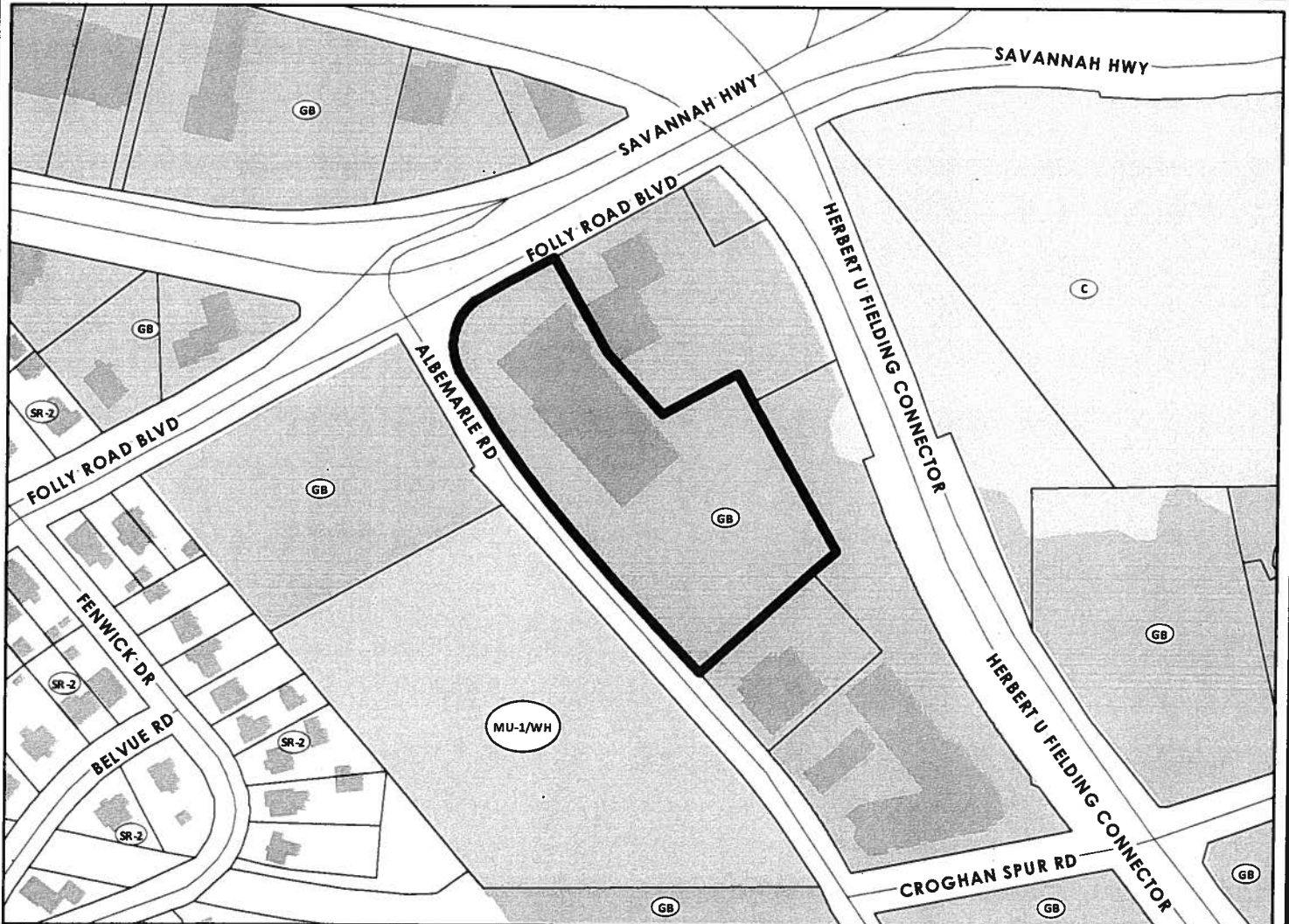
Request rezoning from General Business (GB) to
Mixed-Use (MU-2).

Owners: Albemarle Associates of Mt. Pleasant, LLC
Applicant: Thomas & Hutton – Tony Woody

Area



Location





EG

Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT BEES FERRY ROAD (WEST ASHLEY) (9.91 ACRES) (TMS #356-00-00-013), ANNEXED INTO THE CITY OF CHARLESTON JUNE 15, 2004 (#2004-058), BE REZONED FROM DIVERSE RESIDENTIAL (DR-12) CLASSIFICATION TO GENERAL BUSINESS (GB) CLASSIFICATION.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so as to rezone the property described in Section 2 hereof by changing the zoning designation from Diverse Residential (DR-12) classification to General Business (GB) classification.

Section 2. The property to be rezoned is described as follows:
Bees Ferry Road (West Ashley) (9.91 acres) (TMS #356-00-00-013)

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____
in the Year of Our Lord 2012,
in the 237th Year of Independence of the United States
of America.

By:

Joseph P. Riley, Jr.
Mayor, City of Charleston

Attest:

Vanessa Turner-Maybank
Clerk of Council

Rezoning 4

Bees Ferry Rd (West Ashley)

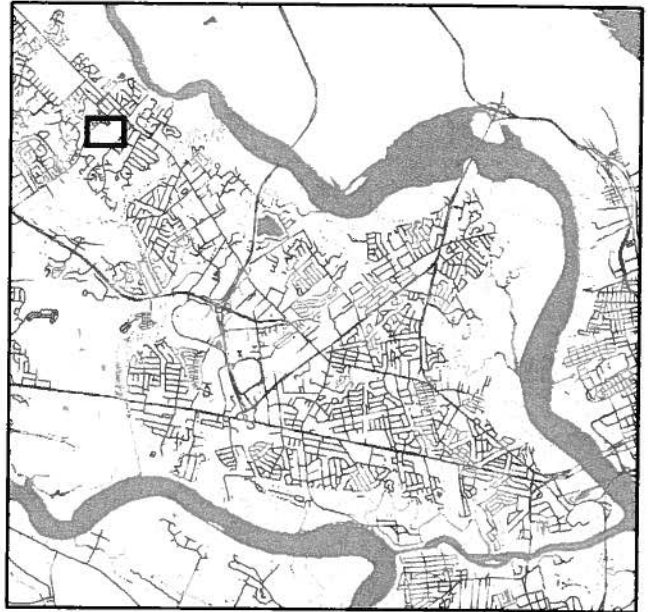
TMS# 3560000013

9.91 ac.

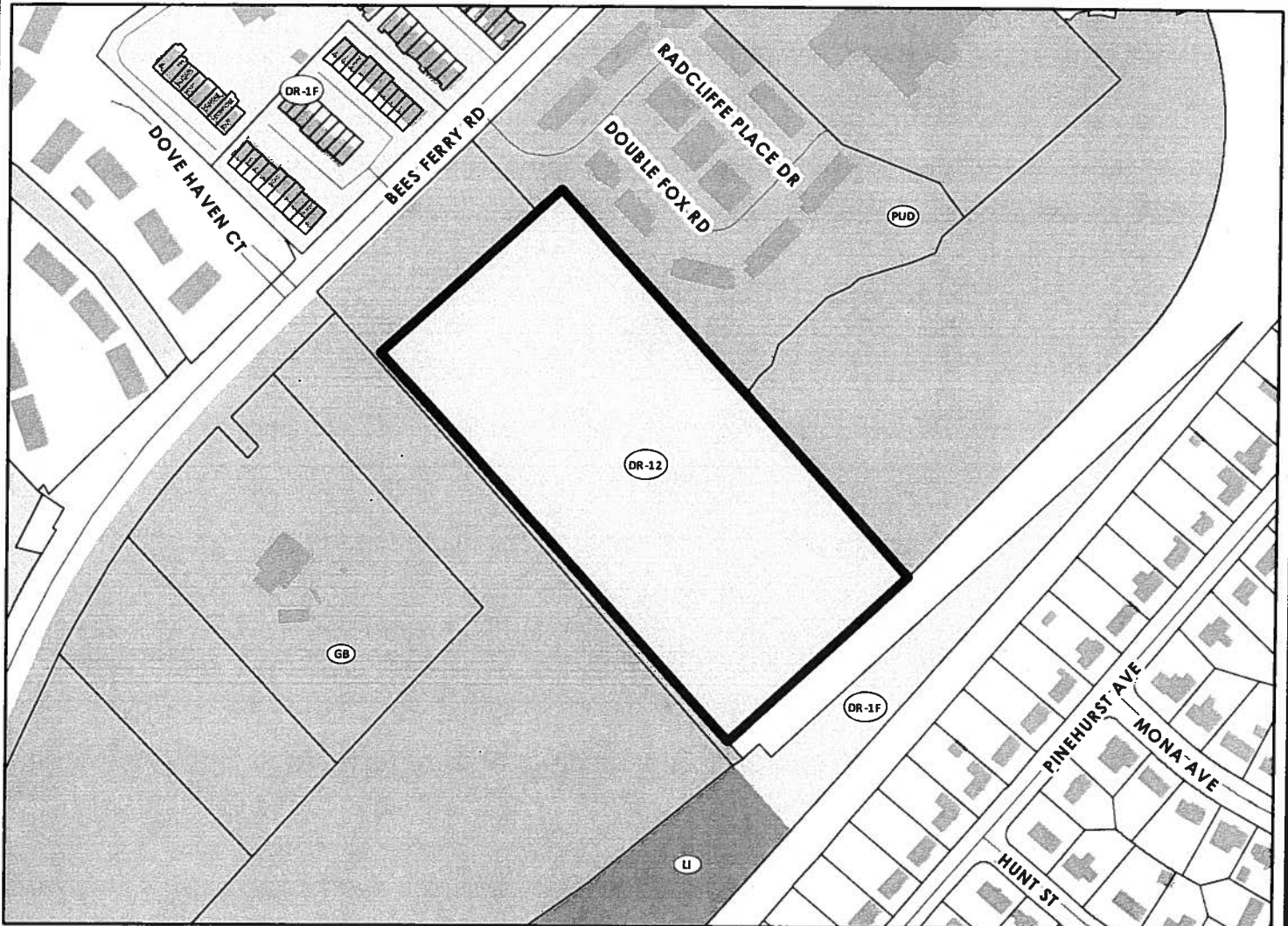
Request rezoning from Diverse Residential (DR-12)
to General Business (GB).

Owner: Sarbabi Masindet
Applicant: Sarbabi Masindet

Area



Location





E7

Ratification
Number _____

AN ORDINANCE

TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2324 ASHLEY RIVER ROAD (WEST ASHLEY) (3.04 ACRES) (TMS #353-05-00-004), BE ZONED LIGHT INDUSTRIAL (LI) CLASSIFICATION.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That the Zoning Ordinance of the City of Charleston be, and the same hereby is amended, by changing the zone map thereof so that the below described property shall become a part thereof.

2324 Ashley River Road (West Ashley) (3.04 acres) (TMS #353-05-00-004)

Section 2. That the said parcel of land described above shall be zoned Light Industrial (LI) classification.

Section 3. This ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of
_____ in the Year of Our Lord,
2013, in the 237th Year of Independence of the
United States of America.

By:

Joseph P. Riley, Jr.
Mayor, City of Charleston

Attest:

Vanessa Turner-Maybank
Clerk of Council

Zoning 1

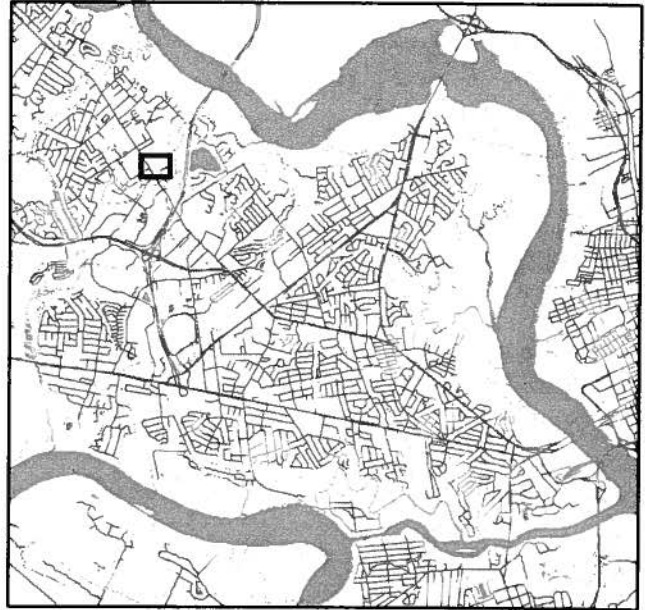
2324 Ashley River Road (West Ashley)

TMS# 3530500004

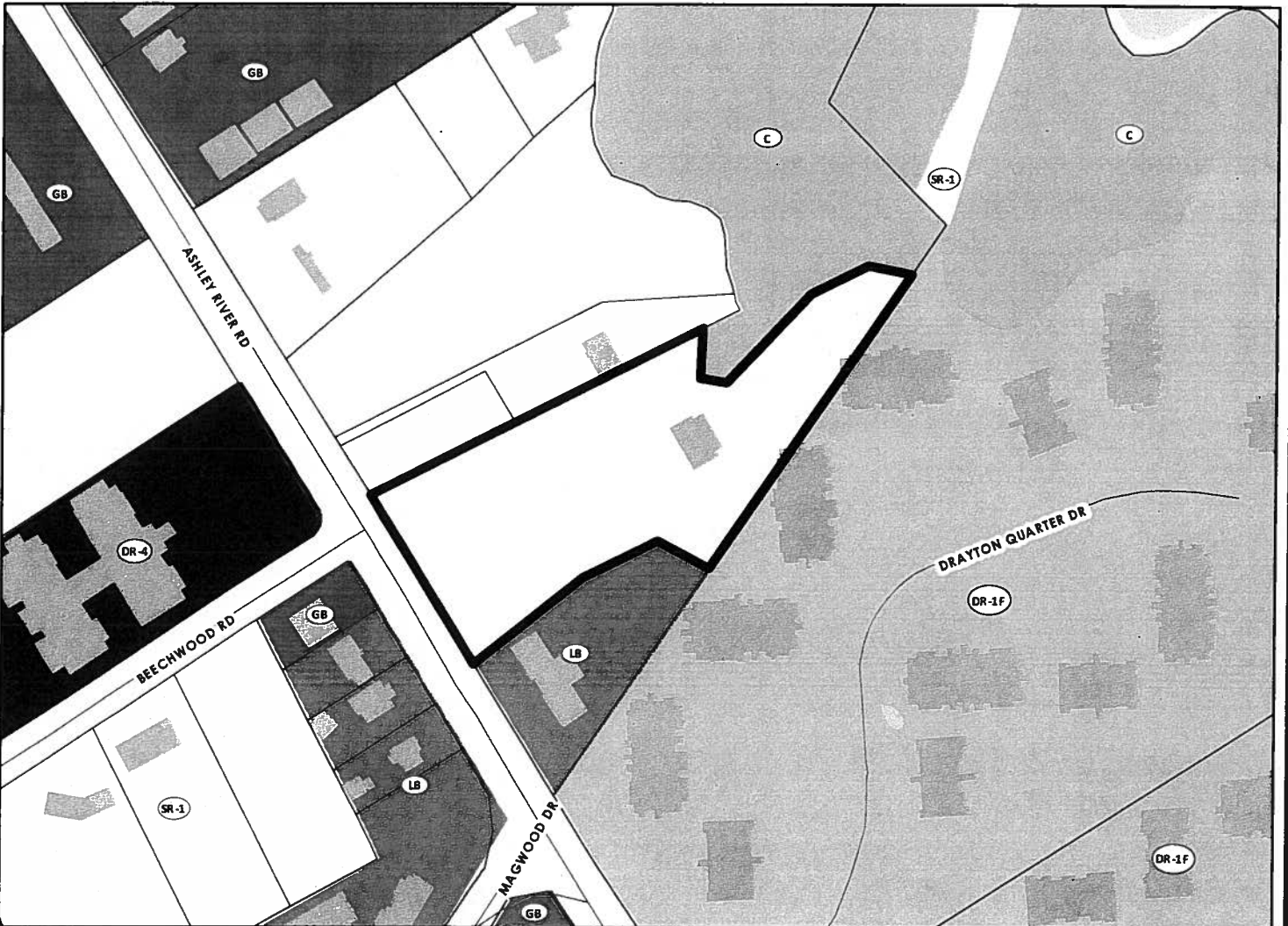
3.04 ac.

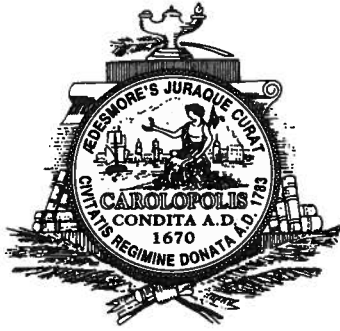
Request zoning of Light Industrial (LI).
Zoned Community Commercial (CC) in Charleston County.

Area



Location





E8

Ratification
Number _____

AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY ADDING TO SEC. 54-120, DEFINITIONS, DEFINITIONS FOR "DEFERRED PRESENTMENT LENDER", "TITLE LOAN LENDER" AND "SHORT TERM LENDER", AND BY ADDING TO SEC. 54- 207 , PART 3, TABLE OF PERMITTED USES, A CLASSIFICATION FOR "SHORT TERM LENDER" AS A CONDITIONAL USE IN THE GENERAL BUSINESS (GB) AND LIGHT INDUSTRIAL (LI) AND HEAVY INDUSTRIAL (HI) ZONING DISTRICTS AND BY ADDING A SUBPART (U) SETTING OUT THE CONDITIONS FOR SUCH USES.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding to Sec. 54-120 (Definitions), in alphabetical order, the following terms:

Deferred Presentment Lender. A business or use that regularly accepts checks from a borrower drawn on the borrower's bank account to be presented for payment at a later date and that charges a fee for the service, such as those regulated by Chapter 39 of Title 34 of the Code of Laws of South Carolina, 1976, as amended.

Title Loan Lender. A lender which regularly extends short-term nonpurchase money loans secured by titles to motor vehicles, such as those regulated by S. C. Code § 37-3-413 (Cum. Supp. 2011). The term does not include other supervised lenders, banks, credit unions, savings banks and like depository institutions.

Short-term Lender. A Deferred Presentment Lender or a Title Loan Lender.

Section 2. Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding to Part 3 thereof, Table of Permitted Uses, Division H, Finance, Insurance and Real Estate the following, in numerical order: "Category 66, Short-term Lender, 54-207,

u.” and by designating the same as a Conditional Use in the General Business (GB), Light Industrial (LI) and Heavy Industrial (HI) columns of the Table.

Section 3. Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding to Sec. 54-207, Conditional Uses, a new subpart u. pertaining to Short-term Lender, said subpart u. to read as follows:

u. Short-term Lender, as herein defined, shall only be permitted in GB, LI and HI zoning districts as a conditional use when the proposed use satisfies all the following conditions:

1. The proposed use is at least 3,000 feet, measured from lot line to lot line, from another Short-term lender.
2. The proposed use is at least 3,000 feet, measured from the lot line, to any City boundary line.
3. The proposed use is at least 300 feet, measured lot line to lot line, from any church, school or residentially zoned district.
4. The proposed use is housed within a nonresidential building having at least 30,000 square feet.

Section 4. This Ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of _____ in the Year of Our Lord 2013, in the 237th Year of Independence of the United States of America.

By:

Joseph P. Riley, Jr.
Mayor, City of Charleston

Attest:

Vanessa Turner-Maybank
Clerk of Council



E9

Ratification
Number _____

AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING SECTION 54-120 THEREOF SO AS TO AMEND THE DEFINITION FOR CASINO AND BY AMENDING SECTION 54-207 (n) THEREOF SO AS TO PROHIBIT CASINOS WITHIN 1,000 FEET OF RESIDENTIAL ZONE DISTRICTS, CHURCHES, SCHOOLS AND THE HIGHWATER MARK OF NAVIGABLE STREAMS AND AMORTIZE NON-CONFORMING CASINOS (AS AMENDED).

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Section 54-120 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below with a ~~striketrough~~ and inserting text shown below with a double-underline:

"Casino. The use of a lot(s) or any buildings(s) thereon by one or more persons where, in the aggregate, such persons make available for use or play more than ~~five-three (53)~~ game machines or simulated gambling devices. For purposes of this definition, a game machine means an electronic video game machine that, upon insertion of cash, is available to play or simulate the play of games authorized by the South Carolina Tax Commission utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash; and simulated gambling device means any device that, upon connection with an object, is available to play or operate a computer simulation of any game, and which may deliver or entitle the person or persons playing or operating the device to a payoff. The following rules of construction apply to this definition of "simulated gambling device":

- i. The term "device" means any mechanical or electrical contrivance, computer, terminal, video or other equipment that may or may not be capable of downloading games from a central server system, machine, computer or other device or equipment. The term "device" also includes any associated equipment necessary to conduct the operation of the device.
- ii. The term "upon connection with" means insertion, swiping, passing in range, or any other technical means of physically or electromagnetically connecting an object to a device.

- iii. The term "object" means a coin, bill, ticket, token card or similar object, obtained directly or indirectly through payment of consideration, or obtained as a bonus or supplement to another transaction involving the payment of consideration.
- iv. The terms "play or operate" or "play or operation" includes the use of skill, the application of the element of chance, or both.
- v. The term "computer simulation" includes simulations by means of a computer, computer system, video display, video system or any other form of electronic video presentation.
- vi. The term "game" includes slot machine, poker, bingo, craps, keno, any other type of game ordinarily played in a casino, a game involving the display of the results of a raffle, sweepstakes, drawing, contest or other promotion, lotto, sweepstakes, and any other game associated with gambling or which could be associated with gambling, but the term "game" does not necessarily imply gambling as that term may be defined elsewhere.
- vii. The term "payoff" means cash, monetary or other credit, billets, tickets, tokens or other electronic credits to be exchanged for cash or to receive merchandise or anything of value whatsoever, whether made automatically from the machine or manually."

Section 2. Subsection (n) of Section 54-207 of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below with a ~~strike~~through and inserting text shown below with a double-underline:

"n. Casinos, as herein defined, shall only be permitted in the LI and HI zone districts if the lot on which they are located is not within 1,000 feet of any residential zone district, church, school or the highwater mark of a navigable stream. Provided however, casinos for which a City building permits have business license has been issued as of ~~June 15, 1999~~ March 26, 2012, ~~but that~~ do not comply with the provisions of this subsection shall be deemed nonconforming uses."

Section 3. Any legally existing use of a lot(s) in the City that qualifies as a casino pursuant to the terms of this ordinance which is rendered non-conforming by the provisions of this

ordinance shall be allowed to continue to operate for a period of one (1) year from the effective date of this ordinance, and after such time, no such casino shall be allowed to continue to operate in the City of Charleston except pursuant to the provisions of this ordinance.

Section 4. Should any phrase, clause, sentence, paragraph or section of this Ordinance be declared unconstitutional or invalid by judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, as the same would have been enacted without the unconstitutional or invalid provisions, it being the intention of City Council that the provisions hereof are severable.

Section 5. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____
in the Year of Our Lord, 2013,
and in the 237th Year of the Independence of
the United States of America

Joseph P. Riley, Jr., Mayor

ATTEST:

Vanessa Turner-Maybank
Clerk of Council



17.

City of Charleston

Joseph P. Riley, Jr.
Mayor

MEMORANDUM

TO: Members of City Council

FROM: Mayor Joseph P. Riley, Jr.

RE: BCD Council of Governments – Reappointment/Appointment of Board Members

DATE: February 19, 2013

This memorandum requests confirmation of the reappointment of Mayor Joseph P. Riley, Jr. and Councilmember Robert Mitchell, and the appointment of Councilmember Keith Waring to the BCD Council of Governments Board of Directors.

Thank you for your cooperation in this matter.



P.O. Box 652, Charleston, South Carolina 29402

843-577-6970 Fax 843-720-3827

I2.



City of Charleston

Joseph P. Riley, Jr.
Mayor

MEMORANDUM

TO: Members of City Council

FROM: Mayor Joseph P. Riley, Jr.

RE: CHATS Policy Committee -- Reappointment of Committee Members

DATE: February 19, 2013

This memorandum requests confirmation of the reappointment of Mayor Joseph P. Riley, Jr., Councilmember Dean Riegel, and Councilmember Aubry Alexander to the CHATS Policy Committee.

Thank you for your cooperation in this matter.



P.O. Box 652, Charleston, South Carolina 29402

843-577-6970 Fax 843-720-3627



City of Charleston
Joseph P. Riley, Jr.
Mayor

MEMORANDUM

TO: Members of City Council

FROM: Mayor Joseph P. Riley, Jr.

RE: Appointment to the Commission on the Colonial Commons and Ashley River Embankment

DATE: February 19, 2013

This memorandum requests confirmation of the appointment of Reid Patrick to the Commission on the Colonial Commons and Ashley River Embankment to replace Eleni Roumel, who moved to Washington, D.C. on behalf of the U.S. House of Representatives.

Thank you for your cooperation in this matter.





City of Charleston

Joseph P. Riley, Jr.

Mayor

MEMORANDUM

TO: City Council

FROM: Joseph P. Riley, Jr., Mayor

DATE: February 20, 2013

RE: Visitor Accommodations Ordinance

Hotels, motels and inns (visitor accommodations) bring many obvious benefits to a city. They create jobs, positive economic activity, produce tax revenues and more. In a redeveloping central city, there is the additional benefit in that a visitor accommodation is a residential use. While the person is not a permanent resident, while they are here, they engage in some of the activities that those who live in a community engage in – walking the sidewalks, shopping, patronizing restaurants, visiting museums and art galleries, historic sites and thereby add to the life and vibrancy of the city in addition to providing economic benefits. And lots of people residing in the center give vibrant activity to the city with benefits, some of which I have just mentioned.

Charleston Place is perhaps the most prominent example of a very beneficial visitor accommodation in our city because it served as linchpin for the redevelopment of King Street, and there are many, many more examples such as the Francis Marion, which was once a bankrupt, closed facility, became a vibrant and beautifully restored hotel – with the City's very substantial involvement – is providing the same kind of benefits in that part of the city and certainly assisted in the amazing resurgence of Upper King Street.

We recognized, however, many years ago, that visitor accommodations, nevertheless, would benefit from an extra layer of guidance and regulation. In 1982, we established the City's first Visitor Accommodations Ordinance, which, among other things, had the purpose of limiting the general location of visitor accommodations in areas that would provide pedestrian benefits and be consistent with the City's Strategic Plan.



*P.O. Box 632, Charleston South Carolina, 29402
Telephone: 843-577-6920 Fax: 843-720-3827*

That is that the accommodations would be strategically beneficial to the city, and they have indeed been so. We also, even back then, recognized that visitor accommodations are usually the most remunerative use of a piece of land and that Charleston was becoming an increasingly popular destination. It is important that cities, among other things, work to make sure that there is land available for other important activities in the city – permanent residential, office, many other business activities, parks, institutions, etc. In 1997, we revised the 1982 Visitor Accommodations Ordinance in light of the continued positive growth in tourism in our city and limited the number of rooms that could be contained in one hotel below Calhoun Street. This was to help protect the scale of the city and as I said above, to not elbow out, if you will, opportunities for other important uses of land in the Historic District.

Charleston is now undergoing its recovery from the recession. There is a new positive burst of interest and investment in visitor accommodations in the Peninsula, and I began to believe that it was important for us to re-calibrate our visitor accommodations regulations in light of this most recent uptick and make sure we had the wisest approach to the management of these uses with the same spirit that we addressed them in 1982 and 1997.

Attached you will find an excellent memo prepared by Tim Keane. After discussing this issue with Tim, who likewise had begun to believe that some adjustments were needed, he and his staff began their work to make recommendations on what next set of adjustments and regulations should be considered.

This is just the first step, of course. With your approval, this plan will be sent to the Planning Commission for public hearing and their consideration. This will merit substantial public engagement. After that process, the Planning Commission will then report its recommendations back to City Council for public hearings and our deliberation.

I highly commend this effort to you. Charleston has been a national, if not international, leader in tourism management. And in doing so, we have not only made our city more livable and beautiful but a more desirable place to live and visit and economically much stronger. I believe these refinements will continue to achieve the same purposes.

JPR,jr/mc

Attachment



City of Charleston
South Carolina

Joseph P. Riley, Jr.
Mayor

Timothy J. Keane
Director

Department of Planning, Preservation and Sustainability

To: Mayor Joseph P. Riley, Jr.
Charleston City Council
From: Tim Keane
Date: February 20, 2013
Ref: Accommodations Study and Ordinances

As you know the development of hotels and inns is something we monitor closely because we understand that this use is a unique one. Accommodations uses can be an important catalyst for development and put visitors to Charleston in proximity to the places they want to go. Therefore, we want to enable this use in locations that are most beneficial.

The City's first Accommodations Study was completed in 1982 and was updated in 1998. This use received considerable scrutiny on the Peninsula in the Downtown Plan of 2000 and again in the Calhoun East Plan completed in 2009. We considered this use as a beneficial complement to other uses at the West Ashley Circle and in the Olde Charlestowne District of West Ashley.

While we are pleased with the plans for this use that have been approved recently, we believe that some modifications to the Accommodations Plan and ordinances on the Peninsula are needed at this time. We currently have 3,739 hotel rooms on the Peninsula. This is a 21% increase in rooms since 1997. We have plans for an additional 1,280 rooms that have been approved but are not yet under construction. The majority of these rooms (815) are north of Calhoun Street and south of the Septima Clark Expressway.

Over the past 12 months we have received numerous requests to consider changes in our Accommodations zoning. We have identified a trend in our smaller hotels to in some cases include quite substantial restaurant and bar uses that operate as independent uses rather than accessory uses to the hotel. In light of these trends we are recommending the following:

- Amendments to our Accommodations Study to eliminate from the Accommodations Overlay some additional area in the Southern Central Business District and add strategic locations in the Upper Peninsula.
- Elimination of the Accommodations Overlay in areas south of the Septima Clark Expressway as recommended in the 1998 Study and additionally as recommended here.
- Expansion of the 50 room limit for hotels to the entire Peninsula south of the Septima Clark Expressway with the exception of specific locations recommended in other plans or identified here.
- Adjustments to the conditions for Accommodations uses to ensure that restaurant and bar uses are clearly accessory to the accommodation use.

Projects which have already received a special exception from our Board of Zoning Appeals would not be subject to these new rules.

We are requesting that the proposed changes be given first reading on Tuesday, February 26. We will then hold additional meetings on these changes, including a public hearing with the Planning Commission. Following these additional meetings we will bring a final version of the changes to City Council for a public hearing and final readings. In the meantime, please let me know if you have any questions.

TJK



Ratification
Number _____

AN ORDINANCE

TO AMEND THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, CHAPTER 29, SECTION 211(a) TO CLARIFY AND LIMIT THE NUMBER OF HORSE-DRAWN CARRIAGES THAT MAY BE OPERATED/PERMITTED IN THE CENTRAL LOADING ZONE.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS IN CITY COUNCIL ASSEMBLED:

Section 1. Chapter 29, Section 211(a) of the Code of the City of Charleston is hereby amended by deleting the following stricken words, which shall read as follows:

"Sec. 29-211. - Fees.

(a) Each animal-drawn vehicle company authorized to do business within the City of Charleston shall be assessed an annual fee of seventeen thousand five hundred dollars (\$17,500.00) to operate a carriage business in the City of Charleston. This fee will allow a company to have one (1) animal-drawn vehicle in the central loading zone ~~at any given time.~~

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____ in the Year of Our Lord, 2013, in the 237th Year of Independence of the United States of America.

By:

Joseph P. Riley, Jr.
Mayor, City of Charleston

ATTEST:

Vanessa Turner-Maybank
Clerk of Council



L2

Ratification
Number _____

AN ORDINANCE

TO AMEND THE CITY OF CHARLESTON VISITOR ACCOMMODATIONS STUDY DATED FEBRUARY 10, 1998 BY MODIFYING THE TEXT THEREIN RELATED TO "ACCOMMODATIONS INVENTORY" AND BY REVISING THE MAP CONTAINED THEREIN ENTITLED "1998 VISITOR ACCOMMODATIONS STUDY PROPOSED ACCOMMODATION OVERLAY DISTRICT AMENDMENTS".

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. The City of Charleston Visitor Accommodations Study dated February 10, 1998 is hereby amended by modifying the text therein related to "Accommodations Inventory" by adding the "2013 Visitor Accommodations Study Amendment", attached hereto as Exhibit A and incorporated herein by reference, and by revising the Map therein entitled "1998 Visitor Accommodations Study Proposed Accommodations Overlay District Amendments" in accordance with the Map attached hereto as Exhibit B and incorporated herein by reference.

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of _____
In the Year of Our Lord 2013, in the 237th Year of the
Independence of the United States of America.

Mayor

ATTEST:

Clerk of Council

2013 VISITOR ACCOMMODATIONS STUDY AMENDMENT

The Visitor Accommodations Study was adopted by City Council February 10, 1998. The study was an update of a previous study conducted in 1982. The study evaluated the growth of hotels in the city and their impact and recommended modifications to the City's Accommodation Overlay District and hotel special exception requirements. Since 1998 the City has experienced a tremendous growth in accommodations which warrants an update to the study focusing on the peninsula area.

- In the peninsula there has been an increase of 21% in the number of rooms built since the last survey sixteen years ago. Twelve new hotels or additions have been built as well as several smaller expansions of existing hotels. One small hotel closed during this period. There are 3,739 rooms currently on the peninsula, an increase from 3,090 in 1997.
- The majority of the growth has been located south of Calhoun Street, the most sensitive area of the peninsula. All but two of the new hotels were located in this area. There are currently 2,135 hotel rooms in this area, an increase of 26%.
- There are an additional 1,280 rooms proposed for the peninsula, a growth rate of 34%. These are hotels that have received some level of regulatory approval through the City. Of these, the majority are planned for north of Calhoun Street. This is a direct result of the 50 room limitation south of Calhoun Street implemented after the last study. Twelve hotels are planned, seven of which are south of Calhoun, four proposed are north of Calhoun and one on the West Side.

The following table provides an overview of accommodation growth in the peninsula:

Table 1:

**Visitor Accommodations:
1997, 2013 and Proposed Rooms in Peninsula, by Area**

	1997	2013		Future	
Peninsula	3090	3739	+ 649 (+21%)	5019	+ 1280 * (+34%)
South Calhoun	1728	2135	+ 407 (+ 24%)	2475	+ 340 (+ 16%)
North Calhoun	569	670	+101 (+18%)	1485	+ 815 (+ 122%)
West Side	793	934	+ 141 (+ 18%)	1059	+ 125 (+ 13%)

Bed and Breakfast establishments and small inns of less than 15 rooms are not included.

* Approved projects or in the approval process



City of Charleston 1998 Visitor Accommodations Study

Produced: 19 Feb 2013

- Property lines
1998 Plan
1998 Accommodations Overlay District
1998 Accommodations Plan Recommendations
Recommended Addition
Recommended Removal



1 inch = 1,100 feet
0 550 1,100 Feet





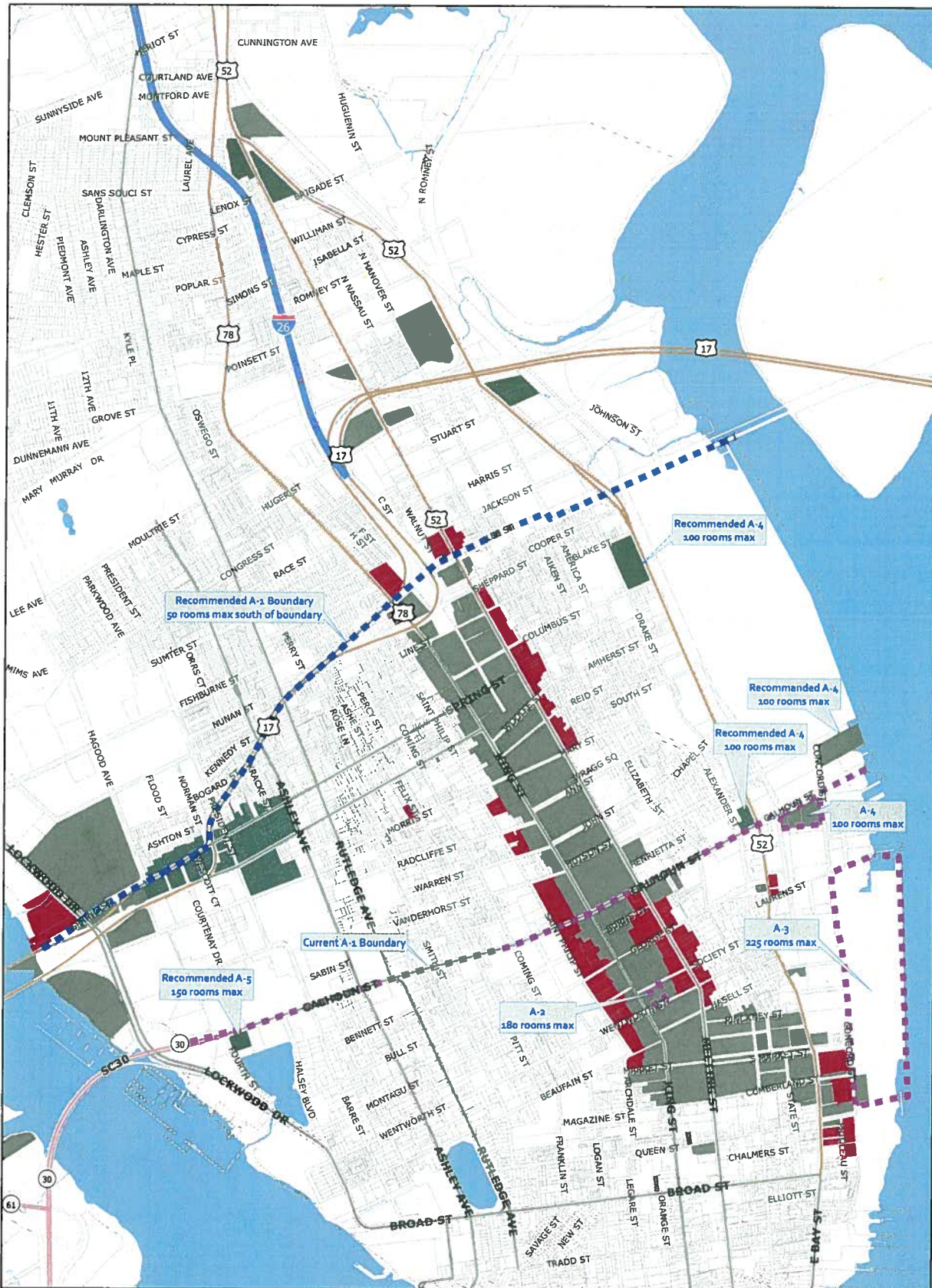
City of Charleston 2013 Visitor Accommodations Study Amendments

Produced: 19 Feb 2013

- Recommended Accommodations Overlay A-1 Boundary
- Property lines
- 2013 Accommodations Study Amendments
- Recommended Addition
- Recommended Removal
- Current Accommodations Overlay



1 inch = 1,100 feet
0 550 1,100 Feet





City of Charleston Accommodations Overlay Zone

produced: 19 Feb 2013

- Accommodations Overlay A1 Boundary
- Property lines
- Current Accommodations Overlay
- Recommended Removal



1 inch = 1,100 feet
0 550 1,100 Feet





L3

Ratification
Number _____

AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY REVISING SECTION 54-220 (B) (1) BY AMENDING SUBPART (A) PERTAINING TO THE EFFECT OF ACCOMMODATIONS USES ON HOUSING STOCK, BY AMENDING SUBPART (E) TO REQUIRE BUILDING FLOOR PLANS, ELEVATIONS, AND DETAILED WRITTEN ASSESSMENT REPORTS WITH APPLICATIONS FOR AN ACCOMMODATION SPECIAL EXCEPTION, BY ADDING NEW SUBPART TO BE LABELED (C) PERTAINING TO THE FLOOR AREA OF RESTAURANT AND BAR SPACE IN ACCOMMODATIONS FACILITIES AND RE-LETTERING THE FOLLOWING SUBPARTS OF SAID SECTION; BY REVISING SECTION 54-220 (B) (1) (E) (7) TO REQUIRE THAT ACCESSORY USES IN ACCOMMODATIONS FACILITIES BE ASSESSED IN TERMS OF SIZE AND IMPACT ON PARKING AND TRAFFIC GENERATION; REVISING SECTION 54-220 (B) (1) (E) (15) PERTAINING TO LIMITS ON THE NUMBER OF ROOMS IN FACILITIES; TO REVISE SECTION 54-220 (B) (1) (E) (16) PERTAINING TO THE PROVISION OF SHUTTLE BUS SERVICE BY ACCOMMODATIONS FACILITIES; AND TO AMEND THE ZONING MAP PERTAINING TO THE ACCOMMODATIONS OVERLAY ZONE DISTRICT IN THE PENINSULA PORTION OF THE CITY IN ACCORDANCE WITH THE MAP ATTACHED TO THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. That Section 54-220 (b) (1) (a) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below with a ~~striketrough~~ and adding text shown below with a double-underline:

- (a) the elimination of housing units by establishment of the proposed facility will not adversely affect the existing housing stock;

Section 2. That Section 54-220 (b) (1) (e) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding text shown below with a double-underline:

- (e) in making these findings, the Board of Zoning Appeals shall consider the following information to be provided by the applicant in site plans, floor plans, building elevations, and a detailed written assessment report to be submitted with the application:

Section 3. That Section 54-220 (b) (1) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by adding a new subpart to be labeled (c) which shall read as follows, and re-lettering the following subparts of said section:

- (c) the total square footage of interior and exterior floor area for restaurant and bar space in the proposed facility, including restaurant/bar patron use areas, bar areas, kitchen, storage, and bathroom facilities, shall not exceed 12 percent of the total interior, conditioned floor area in the facility;

Section 4. That Section 54-220 (b) (1) (e) (7) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below with a ~~strikethrough~~ and adding text shown below with a double-underline:

- (7) the accessory uses proposed for the facility in terms of the size, impact on parking, and their impact on traffic generation and the existence of comparable uses within the service area;

Section 5. That Section 54-220 (b) (1) (e) (15) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below with a ~~strikethrough~~ and adding text shown below with a double-underline:

- (15) the number of rooms in the facility; provided however that the number of rooms in a facility shall not exceed 50 in areas designated "A-1" on the zoning map; 180 in areas designated "A-2" on the zoning map; 225 in areas designated "A-3" on the zoning map; ~~and 100 in areas designated "A-4" on the zoning map;~~ and 150 in areas designated "A-5" on the zoning map;

Section 6. That Section 54-220 (b) (1) (e) (16) of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by deleting text shown below with a ~~strikethrough~~ and adding text shown below with a double-underline:

- (16) the provision of shuttle bus services to and from the historic district for hotels by facilities with more than 150 rooms or more located outside the area designated "A-1" on the zoning map beyond the Peninsula area that are and not served by DASH public transit;

Section 7. That Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended, by changing the Accommodations Overlay Zone District in the peninsula portion of the City in accordance with the map attached to this Ordinance.

Section 8. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of
_____ in the Year of Our Lord, 2013,
and in the 237th Year of the Independence of
the United States of America

Joseph P. Riley, Jr., Mayor

ATTEST:

Clerk of Council